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10 Attorneys for Plaintiffs LINDA ZUÑIGA
11 and PETRABAX WEST, INC.

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14 UNITED STATES DISTRICT COURT
15 FOR THE CENTRAL DISTRICT OF CALIFORNIA
16 WESTERN DIVISION

17 LINDA ZUÑIGA, an individual, and
18 PETRABAX WEST, INC., a
19 California corporation

20 Plaintiffs,

21 v.

22 TRABAX TURISMO S.L., a Spanish
23 limited liability entity,

24 Defendant.

25 } CASE NO. 2:24-cv-04172 FMO (JPRx)
26 }
27 } **ORDER ON STIPULATED
28 } PERMANENT INJUNCTION AND
} ORDER OF DISMISSAL**

29 } COMPLAINT SERVED: JUNE 17, 2024
30 } RESPONSE DATE: SEPTEMBER 6, 2024

1 This matter comes before the Court on the joint request of Plaintiffs Linda Zuniga
2 and Petrabax West, Inc. (“Plaintiffs”) and Defendant Trabax Turismo S.L. (“Defendant”)
3 (collectively, “the Parties”) for entry of this Permanent Injunction and Order of
4 Dismissal. The Court, having considered the agreement of the Parties, hereby ORDERS
5 as follows:

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7 **1. JURISDICTION**

8 This Court has jurisdiction over the parties and the subject matter of this action.
9 The Complaint states claims upon which relief may be granted against the
10 Defendant under the Lanham Act and related state statutes.

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12 **2. PARTIES BOUND**

13 This Permanent Injunction and Order of Dismissal applies to and is binding
14 upon the Parties and their officers, directors, agents, servants, employees,
15 successors, and assigns.

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17 **3. PERMANENT INJUNCTION**

18 Defendant and all persons in active concert or participation with Defendant are
19 hereby PERMANENTLY ENJOINED from:

20 a. In the United States, using or seeking to register the term TRABAX, or
21 any similar term, as a trademark, provided however, that Defendant may
22 use “TRABAX” only as part of a corporate name, including, but not
23 limited to, Trabax Turismo S.L., in its catalogs, brochures and
24 promotional materials, to identify a corporate entity and to state legal
25 terms and conditions.

26 b. Using the domain name TRABAX.COM, including not redirecting the
27 domain name in any way.

c. Objecting to, opposing, or otherwise challenging any registration and/or use of PETRABAX, or any similar term, by the Plaintiffs, their licensees or assigns, in the United States.

4. DISMISSAL

Except for the Permanent Injunction contained herein, the action and claims against Defendant are dismissed.

5. RETENTION OF JURISDICTION

This Court retains jurisdiction of this matter for the purposes of enforcing or modifying this Permanent Injunction and Order of Dismissal and the purpose of granting such additional relief as may be necessary or appropriate.

6. COSTS AND FEES

Each party shall bear its own costs and attorneys' fee in connection with the entry of this Permanent Injunction and Order of Dismissal.

7. MODIFICATION

This Permanent Injunction and Order of Dismissal may be modified by the Court upon motion by either party for good cause shown.

8. TERMINATION

This Permanent Injunction shall remain in effect indefinitely unless and until modified by the Court.

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1 IT IS FURTHER ORDERED that this Order shall constitute a Final Judgment as to
2 all claims and parties in the above-captioned litigation, and as no further matters remain
3 pending shall be dismissed with prejudice.

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5 IT IS SO ORDERED.
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8 Dated: September 6, 2024

9 _____ /s/ _____
10 The Honorable Fernando M. Olguin
11 United States District Judge
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